

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Docket No. 07 CR 00907 (SAS) (S1)

Plaintiff,

-against-

NOTICE OF MOTION

JOHN MELICHAREK,

Defendant

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S I R S:

PLEASE TAKE NOTICE, that upon the annexed Memorandum of Law in Support of Defendant's Motion to Compel Discovery, the exhibit attached thereto and all prior pleadings and proceedings had herein, the defendant, John Melicharek, will move this Court, before Hon. Shira A. Scheindlin, United States District Judge for the Southern District of New York, located at 500 Pearl Street, New York, New York, at a date and time to be fixed by the Court for an Order:

- (1) Directing the government to produce all Brady/Giglio material and all remaining Fed. R. Crim. P. 16 discovery immediately or well in advance of trial;
- (2) Directing the government to provide a Bill of Particulars;
- (3) Directing the government to reveal the identity of the confidential informants; otherwise, the informants should be produced in open court for possible interviews with the defense;
- (4) Directing the government to timely disclose anticipated expert testimony;
- (5) Directing the government to timely disclose the particular recordings pertaining to the defendant that the government intends to introduce at trial;

- (6) Directing the government to timely disclose of the specific evidence it intends to introduce under Fed. R. Evid. 404(b); and
- (7) For such other and further relief as to this Court may seem just and proper.

Dated: Garden City, New York
February 8, 2008

Most respectfully submitted,

BARRY LEVIN, ESQ. (2079)
Attorney for Defendant
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